

OFFICIAL FILE
ILLINOIS COMMERCE COMMISSION

(File Original and 3 copies)

Docket No. 00 0425

ICC Office Use Only

ORIGINAL

Vitts Networks, Inc. :

Application for a Certificate of :
Local and Interexchange Authority :
To Operate as Reseller and Facilities-based :
Carrier of Telecommunications Services in :
The State of Illinois. :

**APPLICATION FOR CERTIFICATE TO BECOME A
TELECOMMUNICATIONS CARRIER**
(Use additional sheets as necessary.)

GENERAL

1. Applicant's Name (including d/b/a, if any) FEIN # 02-0492734

Vitts Networks, Inc ("Vitts" or "Applicant")

Address: Street 77 Sundial Avenue

City Manchester State/Zip NH 03103

2. Authority Requested: (Mark all that apply)
X 13-403 X 13-404 X 13-405

3. Request for waivers/variances: In applications for exchange service authority under Sections 13-404 or 13-405, waivers of Part 710 and of Section 735.180 of Part 735 are generally requested. In applications for interexchange service authority under Sections 13-403 and 13-404, waivers of Part 710 and Part 735 are generally requested. Please indicate which waivers Applicant is requesting.

X 710 X 735 X Section 735.180 X Other¹

4. In what area of the state does the Applicant propose to provide service?

Vitts seeks authority to offer telecommunications services throughout the State of Illinois. However, Vitts currently does not plan to provide local exchange services in the service areas of any exempt small or rural incumbent local exchange carriers.

5. Please attach a sheet designating contact persons to work with Staff on the following:

- 1) issues related to processing this application

¹ Vitts also requests authorization pursuant to 83 Il. Admin. Code Part 250 to maintain its books and records outside the State of Illinois, at its principal place of business in Manchester, NH.

- 2) consumer issues
- 3) customer complaint resolution
- 4) technical and service quality issues
- 5) "tariff" and pricing issues
- 6) 9-1-1 issues
- 7) security/law enforcement

Please identify each contact person's (i) name, (ii) title, (iii) mailing address, (iv) telephone number, (v) facsimile number, and (vi) e-mail address, if any.

Please see Attachment 1.

6. Please check type of organization?

☐ Individual
☐ Partnership

☒ Corporation
☐ Other (Specify)

Date company was incorporated Aug. 19, 1996

State of incorporation Delaware

7. Submit a copy of articles of incorporation and a copy of certificate of authority to transact business in Illinois.

Please see Attachment 2.

8. List jurisdictions in which Applicant is offering service(s).

Vitts currently provides telecommunications and data services in New Hampshire, Maine, Massachusetts and Vermont. Vitts is also authorized to provide telecommunications services in Connecticut, Delaware, the District of Columbia, New Jersey, New York, Pennsylvania, Rhode Island and West Virginia. Vitts is in the process of applying for authority to provide telecommunications and data services in Georgia, Illinois, Maryland, Ohio, South Carolina and Wisconsin. Also, because of the requirements of Virginia laws and rules, Vitts Networks of Virginia, LLC ("Vitts-VA") was created as a subsidiary of Vitts and has applied for authority to provide telecommunications service in the Commonwealth of Virginia.

9. Has the Applicant, or any principal in Applicant, been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or another name?

YES (Please provide details) ☒ NO

10. Have there been any complaints against the Applicant in any other jurisdiction?

YES ☒ NO

If YES, describe fully. _____

11. Will the Applicant keep its books and records in Illinois? _____ YES X NO
If NO, permission pursuant to 83 Ill. Adm. Code Part 250 needs to be requested.

As noted in response to question 3 above (footnote 1), Applicant hereby requests authority to maintain its books and records outside the State of Illinois, at its principal place of business in Manchester, NH.

MANAGERIAL

12. Please attach evidence of the applicant's managerial and technical resources and ability to provide service. This may be in either narrative form, resumes of key personnel, or a combination of these forms.

Please see Attachment 3.

13. List officers of Applicant.

<u>Chris Oliver</u>	<u>Chief Executive Officer</u>
<u>Gregory DeMund</u>	<u>President and Chief Operations Officer</u>
<u>William Marshall</u>	<u>Chief Financial Officer and Treasurer</u>
<u>Philip A. Gardella, Jr.</u>	<u>Vice President of Finance</u>
<u>Robert MacPherson</u>	<u>Vice President of Direct Sales</u>
<u>Richard O'Connell</u>	<u>Vice President of Channel Sales</u>
<u>Jim Atkins</u>	<u>Vice President of Network Operations</u>
<u>Karen Lloyd</u>	<u>Vice President of Marketing</u>
<u>Bruce Dyke</u>	<u>Vice President of Technical Support</u>

14. Does any officer of Applicant have an ownership or other interest in any other entity which has provided or is currently providing telecommunications services?
____ YES X NO

If YES, list entity. _____

15. How will Applicant bill for its service(s)?
Vitts will bill its customers directly for all services offered.

16. How does Applicant propose to handle service, billing, and repair complaints?

Vitts will maintain a toll-free customer service number, (888) 656-1800, to address service, billing and repair complaints.

17. Will personnel be available at Applicant's business office during regular working hours to respond to inquiries about service or billing? X YES _____ NO

18. What telephone number(s) would a customer use to contact your company?

Customers may contact Vitts' toll-free number, (888) 656-1800.

19. What are your procedures to prevent unauthorized slamming of customers?

Vitts will initially be offering only data transport services. To the extent that Vitts offers voice services in the future, Vitts will comply with Illinois law and the Federal Communications Commission's ("FCC's") regulations regarding how interexchange carriers may change a consumer's Primary Interchange Carrier.

20. If granted authority to operate as a local exchange carrier, will the applicant abide by the following 83 Illinois Administrative Code Parts: 705, 710, 720, 725, 735, 755, 756, 757, 770, and 772?

 X YES NO (If NO, please provide an explanation.)

Vitts will initially provide data transport services only. To the extent that the requirements are applicable to Vitts' service offerings, Vitts will comply with all applicable requirements and codes.

21. Will the applicant sign and return membership forms to the Universal Telephone Assistance Corporation and the Illinois Telecommunications Access Corporation?

 X YES NO

FINANCIAL

22. Please attach evidence of applicant's financial fitness through the submission of its most current income statement and balance sheet, or other appropriate documentation of applicant's financial resources and ability to provide service.

Please see Attachment 4.

TECHNICAL

23. Does Applicant utilize its own equipment and/or facilities? X YES NO

If YES, please list: **Vitts intends to provide service on a statewide basis through its own network facilities, including facilities collocated in the central offices of incumbent local exchange carriers ("ILECs"), through unbundled network elements purchased from ILECs and through the resale of ILEC services. Applicant does not currently own any telecommunications facilities in the State of Illinois. Vitts plans to provide high-speed Internet access over IP/ATM Packet switches, xDSL compatible loops and IOF.**

If NO, which facility provider(s)'s services does Applicant use?

To the extent that Vitts will resell other carriers' services, it will resell the services of SBC/Ameritech and GTE.

24. Please describe the nature of service to be provided (e.g., operator services, Internet, debit cards, long distance service, local service).

Vitts requests authority to provide all forms of local exchange interexchange telecommunications services in Illinois. Vitts proposes to provide telecommunications service on a full-time basis, 24-hours a day, seven days a week. Vitts plans to provide dedicated, advanced telecommunications services. Initially, Vitts plans to provide dedicated, non-switched telecommunications services on a facilities and/or resale basis

for local and interexchange traffic throughout the State of Illinois. Vitts will provide dedicated inbound and outbound data transport services to customers. Data transport service is a dedicated point-to-point service offered at the DS-1 (1.54 megabit) or DS-3 (45 megabit) level. The services offered by Vitts will be packet-switched and will not rely on the circuit switching of the ILEC.

25. Will technical personnel be available at all times to assist customers with service problems?

 X YES NO

26. If Applicant intends to provide payphone service, will the equipment utilized comply with FCC requirements and Finding (9) of the Commission Order entered in Docket No. 84-0442 on June 11, 1986, including, but not limited to: (a) touch dialing; (b) access to 9-1-1 and "0" operator dialing without use of a coin; (c) rules governing use of payphones by disabled persons; (d) ability to complete local and long-distance calls; (e) unlimited duration for local calls; and (f) a message explaining the telephone's general operations, dialing instructions for emergency assistance, payphone owner's name, method of reporting service problems and method of receiving credit for faulty calls? YES NO

Not applicable. Applicant currently does not intend to provide payphone service in Illinois.

Thomas S. L. C.

(Signature of Applicant)

VERIFICATION

This application shall be verified under oath.

OATH

State of NEW HAMPSHIRE)
) ss.
County of Hillsborough)

Thomas S. Lyle makes oath and says that he/she is the Regulatory Affairs Manager of Vitts Networks, Inc.; that he/she has examined the foregoing application and that to the best of his/her knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of the above-named applicant in respect to each and every matter set forth therein.

Thomas S. Lyle
(Signature of affiant)

Regulatory Affairs Manager
(Title of person authorized to administer oaths)

Subscribed and sworn to before me, a Notary Public/

in the State and County above named, this 14TH day of JUNE, 2000.

Linda A. Blaauw
(Signature of person authorized to administer oath)

My Commission expires: LINDA A. BLAAUW, Notary Public
My Commission Expires September 4, 2002